

REMARKS

The present amendment is submitted in conjunction with a Request for Reconsideration (RCE) and in response to the final rejection dated September 28, 2006, which set a three-month period for response. Filed herewith is a Request for a One-month Extension of Time, making this amendment due by January 28, 2007.

Claims 1-4 and 6-15 are pending in this application.

In the final rejection, claims 12 and 14 were rejected under 35 U.S.C. 101 as being directed to non-statutory subject matter. Claims 1-5 and 11-14 were rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,172,115 to Kerth et al.

The Applicants again note with appreciation the allowance of claims 6-10 if rewritten to include all of the limitations of the base claim and any intervening claims.

In the present amendment, allowable claim 6 has been rewritten in independent form as new claim 15.

Claims 12-14 have been amended to address the rejection under Section 101. These claims are now directed to a “computing unit” that is adapted to execute the claimed computer program code.

Claim 1 has been amended to more clearly define the present invention over the cited references by adding the features of claim 5, which was canceled.

However, in amended claim 1, the “third analog/digital converter” is now designated as the “second analog/digital converter”.

According to amended claim 1, both analog/digital converts have different operating voltages. The first AD convert is operated with the second supply voltage and the second AD converter is operated with the first supply voltage.

In contrast, both AD converters shown in Kerth are operated with the same supply voltage VREFi. Because with the present invention, for the correction signal U, the second supply voltage is digitalized with the second AD converter, whereby the second AD converter is operated with the first supply voltage, both imprecisions X1 and X12 are taken into consideration in the correction signal U.

The Applicants respectfully submit that amended claim 1 is not anticipated by Kerth, because it includes features not disclosed in that reference. Thus, Kerth cannot be an appropriate reference either under MPEP section 2131, which indicates that to anticipate a claim a reference must teach every element of the claim in as complete detail as is contained in the Applicants' claim, or under MPEP section 2143.03, since not all of the Applicants' claim limitations are taught or suggested.

For the reasons set forth above, the Applicants respectfully submit that claims 1-4 and 6-15 are patentable over the cited art. The Applicants further request withdrawal of the rejection under 35 U.S.C. 102 and reconsideration of the claims as herein amended.

In light of the foregoing amendments and arguments in support of patentability, the Applicants respectfully submit that this application stands in condition for allowance. Action to this end is courteously solicited.

Should the Examiner have any further comments or suggestions, the undersigned would very much welcome a telephone call in order to discuss appropriate claim language that will place the application into condition for allowance.

Respectfully submitted,

/ Michael J. Striker /

Michael J. Striker
Attorney for Applicant
Reg. No.: 27233
103 East Neck Road
Huntington, New York 11743
631-549-4700